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9 **IN THE UNITED STATES DISTRICT COURT**
   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 SELINA KEENE, MELODY FOUNTILA, MARK) Case No.: 4:22-cv-01587-JSW
    MCCLURE,   )
12   ) **[PROPOSED] ORDER RE:**
) **PLAINTIFFS' MOTION TO ENTER**
13   Plaintiffs,   ) **AN ORDER PURSUANT TO THE**
) **NINTH CIRCUIT'S MEMORANDUM**
14 v.   )
)
15   )
    CITY AND COUNTY OF SAN FRANCISCO;   ) Date: July 28, 2023
16 LONDON BREED, Mayor of San Francisco in her) Time: 9:00 AM
    official capacity; CAROL ISEN Human Resources) Judge: The Honorable Jeffrey S. White
17 Director, City and County of San Francisco, in her)
    official capacity; DOES 1-100,   )
18   )
)
19   )
        Defendants.   )
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The Court finds as follows:

Plaintiffs have established a prima facie case and meet all four Winter factors in support of their Motion for Preliminary Injunction.

1. There is no public interest in Plaintiffs working in the privacy of their own homes.

2. The balance of equities falls in Plaintiffs favor, as no one working San Francisco can be effected by Plaintiffs remote work.

3. Plaintiffs prevail on the merits. Defendant waived its affirmative defenses and failed to carry its burden of going forward under well established Title VII law.

4. Irreparable harm is presumed when there is a violation of a civil rights statute, in this case, Title VII. In addition, Plaintiffs loss of their careers established irreparable harm.

For good cause shown, Plaintiffs Motion for Preliminary Injunction is granted. Plaintiffs are to be reinstated to their former positions forthwith.

Dated:

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The Honorable Jeffrey S. White